



PLANNING COMMISSION SYNOPSIS

Wednesday, March 26, 2008

5:00 p.m. STUDY SESSION

Green Vision/Develop City Policy

ROOM LOCATION T-332

6:30 p.m. General Plan & Regular Meeting

Council Chambers

First Floor, City Hall Wing

200 East Santa Clara Street

San José, California

Ash Kalra, Chair

Randi Kinman, Vice-Chair

Xavier Campos Lisa Jensen

Matt Kamkar Christopher Platten

Jim Zito

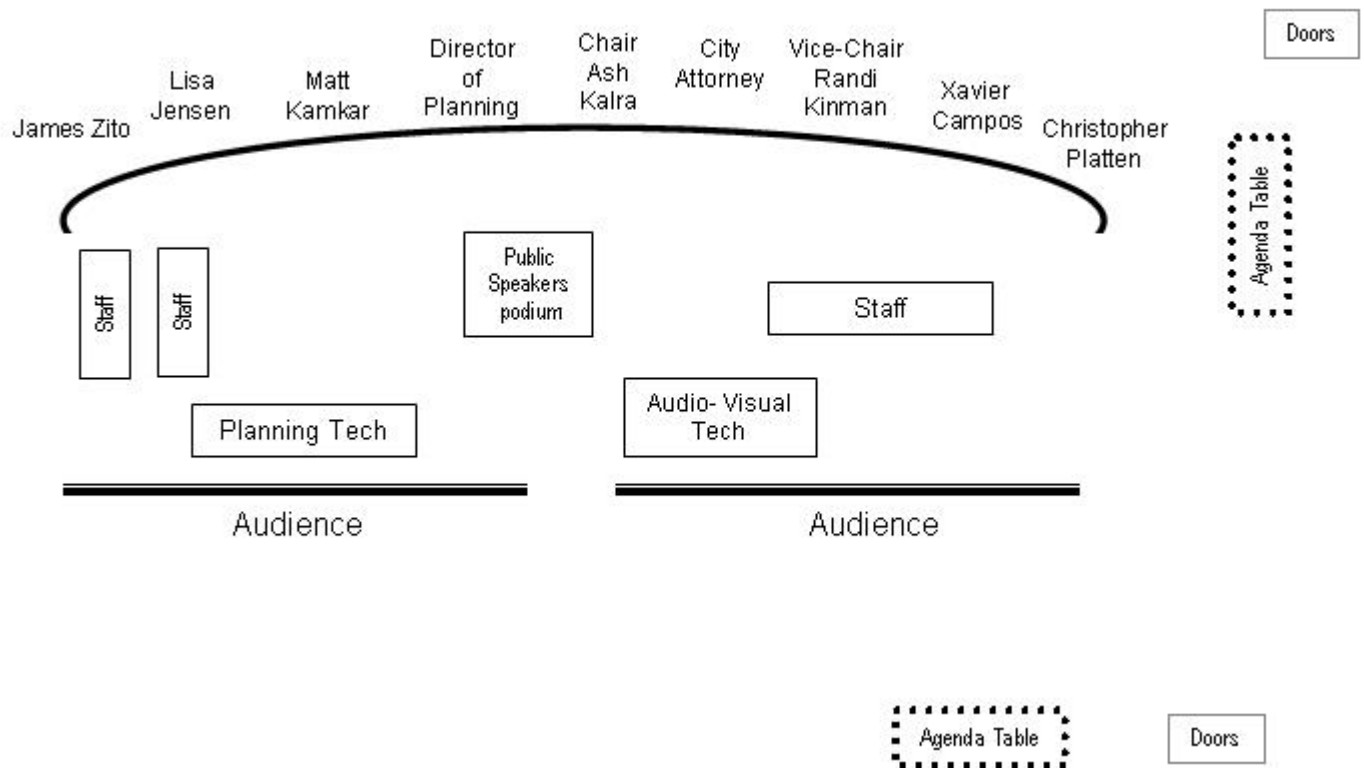
Joseph Horwedel, Director

Planning, Building and Code Enforcement

NOTE

To listen to the audio recording of the planning Commission, please go to the Planning website at: http://sanJosé.granicus.com/ViewPublisher.php?view_id=17

The Planning Commission is a seven member body, appointed by the City Council, which makes recommendations to the City Council regarding the adoption, amendment, or repeal of general or specific plans, and regulation of the future physical land use development, redevelopment, rehabilitation or renewal of the City, including its Capital Improvement Programs. The recommendations to the Council regarding land use development regulations include, but are not limited to, zoning and subdivision recommendations. The Commission may make the ultimate decision on Conditional Use Permits, and acts as an appellate body for those persons dissatisfied with the Planning Director's decisions on land use and development matters. The Commission certifies the adequacy of Environmental Impact Reports.



The San José Planning Commission generally meets every 2nd and 4th Wednesday at 6:30 p.m., unless otherwise noted. Agendas and Staff Reports for Planning Commission items may be viewed on the Internet at www.sanJoseca.gov/planning/hearings/planning_com.asp.

Audio for the Planning Commission hearings are recorded and broadcast live. To listen to live audio broadcast or to listen to past hearing recordings go to the Internet website: http://sanJosé.granicus.com/ViewPublisher.php?view_id=17#planningCommission.

If you have any questions, please direct them to the Planning staff at (408) 535-7800. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

Note: If you have any agenda questions, please contact Carmen Stanley at (408) 535-7856 or email carmen.stanley@sanjoséca.gov

AGENDA
ORDER OF BUSINESS

1. ROLL CALL

2. DEFERRALS

- a. Consideration of Planning Commission Agenda management and length of public hearing concerns and determination on whether to proceed with remaining agendized items past 11:00 p.m., continue this hearing to a later date certain, or defer remaining items to the next regularly scheduled Planning Commission meeting date. To be heard by the Planning Commission no later than 11:00 p.m.
- b. **PDC07-017**. Planned Development Prezoning to allow the demolition of existing structures and the construction of 39 single-family attached residential and 2 live/work lofts on a 0.91 gross acre site located on the west side on Lincoln Avenue extending from West San Carlos Street to the south and Pacific Avenue to the north, excluding the northwest corner of West San Carlos and Lincoln Avenue (James & Tina Jean, Owner). Council District 6. SNI: Burbank/Del Monte. CEQA: Mitigated Negative Declaration. *PROJECT MANAGER, S.MALLICK*

DEFERRED TO 04/21/2008 (7-0-0)

- c. **CP06-071**. Conditional Use Permit to demolish an existing 2,100 square foot gas station building and associated fueling canopy, and to construct a 3,200 square foot gas station, convenience store, car-wash, and new canopy on a 0.64 gross acre site in the CP Pedestrian Commercial Zoning District, located on the northeast corner of Berryessa Road and Lundy Avenue (1715 BERRYESSA RD) (Thuong Van Lam, owner). Council District 4. SNI: None. CEQA: Exempt. *PROJECT MANAGER, J.DAVIDSON*

DEFERRED TO 04/09/2008 (7-0-0)

3. CONSENT CALENDAR

- a. **CP07-095**. Conditional Use Permit to allow a parking establishment, off street, on a 0.6 gross acre site for private school parking in the R-1-8 Single-Family Residence Zoning District, located on north side of W. Hedding Street, approximately 170 feet east of Elm Street (839, 845 & 859 W HEDDING ST) (Bellarmine College Preparatory, Owner). Council District 6. SNI: None. CEQA: Exempt. *PROJECT MANAGER, E.SCHREINER*

APPROVED (7-0-0)

Pulled by Commissioner Jensen with concerns about long-term parking solution, including structure parking. Representative from Bellarmine explained future planning efforts and dialogue with neighborhood.

Commissioner Kinman asked if traffic analysis could be done to monitor traffic patterns and applicant stated that, it could be done and some traffic analysis is being done through the Planned Development Zoning process now underway. Commissioner Jensen again asked if any plans were underway to develop structured parking and applicant stated that it was being reviewed and could be in future plan, but it is very costly. Staff commented current proposal is for off-site parking beyond required parking, and ability to add parking structures could be added to Planned Development Rezoning.

Commissioner Campos explained need the need to remove hazard of existing vacant structures for student safety and commented that parking garages are very expensive. He moved approval.

Commissioner Jensen stated that San Jose is an urban environment and surface parking can't continue, but stated she'd support motion to approve.

Commissioner Kinman stated she applauds any school that adds parking, but is concerned that traffic analyses keep pace with changes in parking locations.

- b. **CP07-062**. Conditional Use Permit request to allow a private club and banquet facility uses on a 0.26 gross acre site in the CP-Pedestrian Commercial Zoning District located on the north side of Shamrock Drive, approximately 250 feet westerly of South Bascom Avenue (2211 Shamrock Drive)(Santa Maria Association/De Calosa Inc, Owner). Council District 9. SNI: None. CEQA: Exempt. *PROJECT MANAGER, S.MALLICK*

APPROVED AND CONTINUED TO 04/09/2008 FOR PREPARATION OF THE RESOLUTION (7-0-0)

Pulled by member of the public. Applicant expressed concern about requirement for removal of storage container, and restriction on number of cars to be parked on-site, stating move.

One speaker who lived adjacent to the project site asked for hours to be limited to 10:00 p.m., and stated they were loud parties. Another speaker also requested hours be limited to 10:00 p.m. because of noise from the venue.

In response to Commissioner Kamkar, speaker stated could not confirm whether private parties only.

Applicant stated he understands noise issue, and would ask the Commission change hours of operation to midnight on Friday, Saturday, and 10:00 p.m. on Sunday through Thursday, and expressed willingness to limit to no live music. Applicant clarified absolute fire limits. In response to commissioner Zito, applicant stated amplified DJ would require doors to be shut. Commissioner Zito suggested that a Management Plan could be developed with the neighborhood to incorporate. Staff explained that elements of a management plan were contained in the conditions in the draft resolution.

Commissioner Zito asked staff if closing at 10:00 p.m. Sunday through Thursday would be an appropriate tradeoff for midnight on Friday and Saturday.

Commissioner Kalra stated issue seems to be weekend users. Commissioner Kinman suggested litter pick-up 200 feet to the midpoint of Bascom Avenue was to onerous, and staff confirmed condition could be rewritten to be more specific. In response to Commissioner Jensen, staff responded that given no valet parking, not confident that "tandem" parking would be successful. Staff responded that analysis was using 3 attendees per car so that 16 parking spaces corresponded to 48 attendees. Staff also stated the existing neighborhood does experience parking impacts from development built when less parking was required. Staff stated that storage structures are not able to be permitted now, or back in 1986.

In response to Commissioner Jensen about independent security on site, staff indicated that the proposed condition is an attempt to strike a balance with not too onerous of a condition

on a small non-profit organization. The Director of Planning stated the draft resolution indicated a time condition.

Commissioner Zito suggested that a condition could be added to require lease agreement and Director stated staff should not be reviewing contractual documents between private parties.

Commissioner Campos moved that they approve a private club/banquet use and include recommendation for modifications to the leasing agreement to reflect requirements of CUP. Commissioner Jensen recommended addition of "independent" to security officer or on-site Manager condition, and modify number of patrons to be maximum of 60, as opposed to 48. Commissioner Kinman recommended changes to clarification on whether storage container could be approved. Commissioner Kalra stated interest in good conditions but with good track record, could add hours in future.

- c. [CP07-065](#). Wireless - Conditional Use Permit to install a slimline monopole 60-foot in height , with associated ancillary equipment shelter at Fire Station No. 13, on a 1.79 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the east side of Pearl Avenue, opposite the terminus of Knollfield Way (4380 PEARL AV)(City Of San Jose Redv Agcy, Owner). Council District 9. SNI: None. CEQA: Exempt. *PROJECT MANAGER, S.SAHA*

APPROVED (7-0-0)

Pulled by a member of the public with concern that antenna could affect fire station emergency communication. In response to Commissioner Kamkar about health concerns for proximity of antenna to sleeping quarters, Director explained FCC rules restrict City role.

- d. [CP07-080 & ABC07-008](#). Conditional Use Permit and Determination of Public Convenience and Necessity to allow off-sale of alcoholic beverages at a retail store/patron lounge on a 1.3 gross acre site in the DC Downtown Primary Commercial Zoning District, located on the east side of South 2nd Street, approximately 550 feet northerly of East San Carlos Street (101 PASEO DE SAN ANTONIO)(San Jose Redevelopment Agency, Owner). Council District: 3. SNI: None. CEQA: Exempt. *PROJECT MANAGER, E.SAMONSKY*

APPROVED (7-0-0)

- e. [CPA03-033-01](#). Conditional Use Permit Renewal to allow a time extension of an existing tow yard facility on a 1.7 gross acre site in the HI Heavy Industrial Zoning District, located at the southwest terminus of Stockton Avenue and Vermont Street (1025 STOCKTON AV)(Alves Alongi Properties, Owner). Council District 3. SNI: None. CEQA: Reuse of a Negative Declaration. *PROJECT MANAGER, C.BURTON*

APPROVED (7-0-0)

- f. [CPA95-074-01 & ABC06-013](#). Conditional Use Permit and Determination of Public Convenience and Necessity to allow off-sale of alcoholic beverages at an existing gas service station on a 0.47 gross acre site in the CP Commercial Pedestrian Zoning District, located on southeast corner of Hedding Street and Coleman Avenue (890 COLEMAN AV)(Mhcb Usa Leasing & Fin Corp, Owner). Council District 3. SNI: None. CEQA: Incomplete. *PROJECT MANAGER, L.MCMORROW*

DENIED (7-0-0)

4. PUBLIC HEARINGS

- a. **PDC06-018**. Planned Development Rezoning from CN Commercial Neighborhood Zoning District to A(PD) Planned Development Zoning to allow up to 6 single-family detached residences on a 0.69 gross acre site, located on the north side of Michigan Avenue approximately 350 feet easterly of North 1st Street (Schulman, Bennie and Linda S, Owner). Council District 4. SNI: None. CEQA: Mitigated Negative Declaration. *PROJECT MANAGER, L.MCMORROW*

DEFERRED TO 05/28/2008 (7-0-0)

Member of the public indicated a need for more time to have community and developer work on project. Speaker suggested 90-day deferral, and applicant 30-day deferral. Commission compromised and recommended 60-day deferral to May 28, 2008.

- b. **PDC07-075**. Planned Development Rezoning from R-1-5(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District to allow a second unit containing 1,034 square feet on a 0.56 gross acre site, located on the north side of Redmond Ave, approximately 150 feet east of Moss Oak Wy (11819 REDMOND AV) (Mancuso, Albert S and Clara L, Owners). Council District 10. SNI: None. CEQA: Exempt. *PROJECT MANAGER, E.SAMONSKY*

RECOMMENDED APPROVAL (7-0-0)

- c. **PDC07-080**. Planned Development Rezoning from the IP - Industrial Park Zoning District to the A(PD) Planned Development Zoning District to allow up to 239 single-family attached residences and 6,000 square feet of commercial uses on a 2.86 gross acre site, located on the northeast corner of Baypointe Parkway and Tasman Drive (166 Baypointe Py) (William H and Leila A Cilker Trustee, Owner; Trammell Crow Residential, Developer). Council District 4. SNI: None. CEQA: Addendum to North San José EIR. *PROJECT MANAGER, J.BATY*

DEFERRED TO 04/09/2008 (7-0-0)

5. OPEN PLANNING COMMISSION HEARING ON GENERAL PLAN AMENDMENTS **OPENED GENERAL PLAN HEARING (7-0-0)**

6. GENERAL PLAN CONSENT CALENDAR

- a. **GP07-03-03/GPT07-03-03**. General Plan Land Use/Transportation Diagram and Text amendment request to change the Land Use/Transportation Diagram designation and to revise Appendix E of the General Plan to upgrade Coleman Avenue from Minor Arterial (80 -106 feet) to Major Arterial (115 -130 feet) between Hedding Street to Autumn Street. Council District: 3. SNI: N/A CEQA: EIR Resolution no. 72767 adopted June 21, 2005. *PROJECT MANAGER, A.TAI*

RECOMMENDED APPROVAL (7-0-0)

Reopened at end to allow a member of the public to comment. Mr. Reyes, who owns a business along Coleman, stated he objected to the proposal to widen Coleman. He sees no reasons to increase width. Zito asked Mr. Reyes if there was a reason why not to widen Coleman. Director Horwedel committed staff to talk with Mr. Reyes.

- b. **GP08-08-01/GPT08-08-01**. General Plan Land Use/Transportation Diagram and Text Amendment request to establish an Airport Influence Area Overlay in the vicinity of the Reid Hillview Airport generally defined as the area bounded by Highway 680 and Lower Silver Creek to the north, Aborn Road to the south, White Road to the east and Highway 101 to the west. (Various, Owners/City of San Jose, Applicant). Council District 5, 7, and 8. SNI: East Valley/680, West Evergreen, and KONA. CEQA: Negative Declaration for Amendments to the Santa Clara County Airport Land Use Commission's Land Use Plan for Areas Surrounding Santa Clara County Airports, adopted by the County of Santa Clara September 7, 2007. *PROJECT MANAGER, A.TAI*

RECOMMENDED APPROVAL (6-0-0-1; CAMPOS ABSTAINED)

- c. **GP08-T-04**. General Plan text amendment request to incorporate into the text of the San Jose 2020 General Plan the US-I01/Oakland/Mabury Transportation Development Policy as adopted by City Council Resolution No. 74195. Council District: 3 & 4. SNI: 13th Street. CEQA: EIR Resolution No. 74195.1 adopted December 18, 2007. *PROJECT MANAGER, J. NUSBAUM*

RECOMMENDED APPROVAL (7-0-0)

7. GENERAL PLAN PUBLIC HEARING CALENDAR

No items.

8. CONTINUE THE PLANNING COMMISSION HEARING FOR THE SPRING 2008 GENERAL PLAN AMENDMENTS TO APRIL 9, 2008

APPROVED (7-0-0)

9. PETITIONS AND COMMUNICATIONS

No report.

10. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS OR OTHER AGENCIES

11. GOOD AND WELFARE

a. Report from City Council

- 1) Annual Progress Report on the Implementation of the Housing Element Considered at City Council Hearing

http://www.sanjoseca.gov/clerk/Agenda/031108/031108_02.07.pdf

http://www.sanjoseca.gov/clerk/Agenda/031108/031108_02.07att.pdf

b. Commissioners' report from Committees:

- 1) Norman Y. Mineta San José International Airport Noise Advisory Committee (Campos).

No report.

- 2) Coyote Valley Specific Plan (Platten).

Commissioner Platten – report out of no more funding. Task Force disbanded.

3) Parks Funding Subcommittee (Zito).

No report.

4) Envision San José 2040 General Plan Update Process (Kamkar).

Meeting on 3/24/08 – Presentation on Health and Environment. 4/28/08 – next meeting.

c. Review of synopsis for 03/12/08.

Approved (7-0-0)

d. Consider Study Session dates and/or topics.

Commissioner Kinman requested a Study Session for By-Laws Changes in May.

12. **ADJOURNMENT**

2008 PLANNING COMMISSION MEETING SCHEDULE

Date	Time	Type of Meeting	Location
January 16	6:30 p.m.	Regular Meeting	Council Chambers
January 30	6:30 p.m.	Regular Meeting	W118 & W119
February 13	5:00 p.m.	Study Session <i>Review & Comment: Planning Department Website</i>	Room T-332
February 13	6:30 p.m.	Regular Meeting	Council Chambers
February 27	5:00 p.m.	Study Session <i>CEQA: Reviewing Environmental Impact Reports</i>	Room T-332
February 27	6:30 p.m.	Regular Meeting	Council Chambers
March 12	5:00 p.m.	Study Session <i>North San José</i>	Room T-332
March 12	6:30 p.m.	Regular Meeting	Council Chambers
March 26	5:00 p.m.	Study Session <i>Green Vision/Develop City Policy</i>	Room T-332
March 26	6:30 p.m.	Regular Meeting/General Plan	Council Chambers
April 9	5:00 p.m.	Study Session <i>Riparian Corridor Policy</i>	Room T-332
April 9	6:30 p.m.	Regular Meeting/General Plan	Council Chambers
April 21 (Monday)	5:00 p.m.	Study Session <i>Inclusionary Housing & Housing Element</i>	Room T-332
April 21 (MONDAY)	6:30 p.m.	Regular Meeting/General Plan	Council Chambers
May 7	5:00 p.m.	Study Session <i>Capital Improvement Program</i>	Room T-332
May 7	6:30 p.m.	Regular Meeting	Council Chambers
May 14	6:30 p.m.	Regular Meeting	Council Chambers
May 28	6:30 p.m.	Regular Meeting	Council Chambers
June 11	6:30 p.m.	Regular Meeting	Council Chambers
June 25	6:30 p.m.	Regular Meeting	Council Chambers
July 16	6:30 p.m.	Regular Meeting	Council Chambers
August 6	6:30 p.m.	Regular Meeting	Council Chambers
August 20	6:30 p.m.	Regular Meeting	Council Chambers
September 10	6:30 p.m.	Regular Meeting	Council Chambers
September 24	6:30 p.m.	Regular Meeting	Council Chambers
October 8	6:30 p.m.	Regular Meeting	Council Chambers
October 22	6:30 p.m.	Regular Meeting	Council Chambers
November 5	6:30 p.m.	Regular Meeting	Council Chambers
November 19	6:30 p.m.	Regular Meeting	Council Chambers
December 3	6:30 p.m.	Regular Meeting	Council Chambers
December 10	6:30 p.m.	Regular Meeting	Council Chambers